APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/097,787	06/15/98	BROWN D	11-34-7-15

WM02/1024

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EXAMINER
EDOUARD, P

ART UNIT	PAPER NUMBER
2644	

DATE MAILED:
10/24/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ___3___ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☐ Responsive to communication(s) filed on _____

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-27* _____ is/are pending in the application.

　　4a) Of the above, claim(s) _____ is/are withdrawn from consideratio

5) ☒ Claim(s) *1-27* _____ is/are allowed.

6) ☐ Claim(s) _____ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claims _____ are subject to restriction and/or election requirement

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

　　a) ☐ All b) ☐ Some* c) ☐ None of:

　　　1. ☐ Certified copies of the priority documents have been received.

　　　2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

　　　3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

　　*See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

15) ☒ Notice of References Cited (PTO-892)

16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) *4-6, 9-10*

18) ☐ Interview Summary (PTO-413) Paper No(s). _____

19) ☐ Notice of Informal Patent Application (PTO-152)

20) ☐ Other:

DETAILED ACTION

Claim Rejections - 35 USC § 112

1.   Claims 1 and 12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite

for failing to particularly point out and distinctly claim the subject matter which applicant regards

as the invention.

Claim 1 and 12 recited in the preamble " a method for deriving a dynamic grammar".

However, the claim does not preformed the intended result of the preamble since the last step of

the claim recited " selecting the dynamic grammar".

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless --
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United
> States before the invention thereof by the applicant for patent, or on an international application by another who
> has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention
> thereof by the applicant for patent.

3.   Claims 1-27 are rejected under 35 U.S.C. 102(e) as being anticipated by Brown et al

(6,208, 965). The art is applicable because the inventive entity of "965" is different than the

inventive entity of this application (09/097,787).

Brown et al teach   method for deriving a dynamic grammar from a set of reference

identifiers, (figure 1)comprising:

a) generating a plurality of selection identifiers;(col. 4, lines 40-54)

b) comparing the plurality of selection identifiers with the set of reference

identifiers to determine which selection identifiers are present in the set of reference

identifiers (col. 4, lines 54-65); and

c) selecting the dynamic grammar as comprising data elements that are

associated with those reference identifiers that match any one of the selection identifiers (col. 4,

lines 62-67 through col.5, lines 1-3).

As per claim 2, Brown et al teach wherein the step a) comprises: I) receiving an input

identifier;(figure 3, col. 6, lines 32-34) ;and ii) deriving the plurality of selection identifiers in

accordance with the input identifier(col. 6, lines 51+)

As per claim 3, Brown et al teach wherein the plurality of selection identifiers is

derived from the input identifier in accordance with a Hidden Markov Model algorithm.(Col. 4,

lines 21-26)

As per claim 4, Brown et al teach wherein the plurality of selection identifiers is

derived from the input identifier in accordance with one of a confusion matrix and a

plurality of confusion sets.(Figure 1, his confusion matrix memory 70).

As per claim 5, Brown et al teach a method for accessing a selected one of a plurality of

reference identifiers, each reference identifier being associated with at least one data element,

(figures 1 and 3) the method comprising the steps of:

a) generating a plurality of selection identifiers;(col. 4, lines 40-54 and col. 6, lines 51+)

b) determining those reference identifiers that match any one of the selection

identifiers;(col. 4, lines 54-65)

c) creating a data element subset comprising at least one data element

associated with those reference identifiers that match any of the selection identifiers; (col. 4, lines

62-67 through col.5, lines 1-3). and

d) selecting one of the reference identifiers that matches any of the selection

identifiers on the basis of the at least one data element associated with the selected

reference identifier (col. 12, lines 6-21).

As per claims 6 and 10-11, Brown et al teach wherein the step a) comprises generating

the plurality of selection identifiers in accordance with a criterion.(col. 4, lines 40+)

As per claim 7, Brown et al teach wherein the step a) comprises applying a predetermined

algorithm to the criterion (col. 4, lines 21-26,).

As per claim 8, Brown et al teach wherein the predetermined algorithm comprises a

Hidden Markov Model algorithm and wherein the criterion comprises a first input

identifier (col. 4, lines 21-26 and lines 40+)

As per claim 9, Brown et al teach wherein the predetermined algorithm comprises

one based on one of a confusion matrix and a plurality of confusion sets, and wherein the predetermined criterion comprises a first input identifier (figure 1, his confusion matrix memory 70)

Claims 12-22 are the same in scope and content as claims 1-11 and therefore are rejected under the same rationale.

As per claim 23 Brown et al teach an apparatus for transferring a subset of data elements selected from a global set of data items from a first memory to a second memory, each data item of the global set being associated with a reference identifier, (figure 4) the apparatus comprising:

a processing device coupled to the first memory and to the second memory (figure 4, his confusion matrix memory 70 and his confusion set memory 80); and

a reference identifier selection module coupled to the processing device, wherein the reference identifier selection module includes means for causing the processing device to select, in accordance with a predetermined criterion, which data elements are to be present in the subset of data elements, and wherein the processing device includes means for transferring the subset of data elements from the first memory to the second memory(figure 4, col. 10. Lines 23+)

As per claims 24-27, Brown et al teach an apparatus for responding to at least one vocal input from a user, (figures 1 and 4)comprising:

a speech recognizing device for producing a predetermined identifier in response to the vocal input;(his speech recognizer 30)

a processing device having an input for receiving the predetermined

identifier from an output of the speech recognizer; (his CPU 40);

at least one memory coupled to the processing device and including at least

one reference identifier having a predetermined relationship to the predetermined identifier; and

means for providing the user with access to the reference identifier having

the predetermined relationship to the predetermined identifier.(his various module coupled to the

CPU, grammar generation module, his database 35,)

4. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231 or faxed to:

(703) 308-9051, (for formal communications intended for entry) Or:

(703) 305-9508 (for informal or draft communications, please label "PROPOSED" or

"DRAFT")

Hand-delivered responses should be brought to Crystal Park 11, 2121 Crystal Drive, Arlington.

VA.,

Sixth Floor (Receptionist).

6. Any inquiry concerning this communication or earlier communications from the examiner

should be directed to Patrick N. Edouard whose telephone number is (703) 308-6725. The

examiner can normally be reached on Tuesday-Friday from 07:30 a.m.-6:00 p.m.

Art Unit: 2644

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor,

Forester W. Isen, can be reached on (703) 305-4386.

The facsimile phone number for this Art Unit is (703) 872-9314. Alternatively, facsimile

messages may be sent directly to (703) 305-9644 where they will be stored in the examiner's voice

mailbox (telling the examiner that a fax was received) and be automatically printed (i.e. - no delay

by the examiner).

Any inquiry of a general nature or relating to the status of this application should be

directed to the Group receptionist whose telephone number is (703) 305-3900.

Patrick N. Edouard

October 15, 2001

PATRICK N. EDOUARD
PATENT EXAMINER